

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

January 29, 2004 LB 172

"for" has been in the books this long. But since it came before us, I thought I would take a shot at it. But that is not the main thrust of her amendment, or my arguments. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. Senator Schimek, on the Chambers amendment to your amendment.

SENATOR SCHIMEK: Yes, thank you, Mr. President and members. I would go back to the amendment and talk about that a little bit more, and about the issue itself. I think the statutory language that is in the parental notification statutes is not about abortion, in the sense that it doesn't define what abortion is, it doesn't explain under what circumstances you can have an abortion or not. In other words, it doesn't explain Roe v. Wade. It doesn't advocate abortion. As far as I can remember and tell from the language that I've reviewed, it doesn't really say anything about abortion, except it says that if a young woman wants an abortion and goes to a provider, that provider by law has to notify her parents. There's no way around it for the provider unless the provider wants to do something illegal. The young woman should know that before she goes to the provider, because if she doesn't know that and the provider goes to her parents, there may be some real serious unintended consequences. The provision of the bill that we're talking about that's on the books also says that the school will let her know that she can go talk to a judge if she feels, for reasons of her own, that she cannot go to her parents. Now, the judge is not going to take that lightly. The judge is going to ask her why she couldn't talk to her parents. The judge is going to draw her out about how she feels about the issue, about her...probably her moral underpinnings. I've never sat in on one of these consent kind of conferences, but I can imagine he will ask her what her living situation is, whether she's living independently, which she may be. In some cases, young women of 16 and 17 years old are living independently, supporting themselves. They maybe have been banished from their homes. I mean, there's just a hundred different things that a judge will, or could, at least, discuss with this young woman. So I think that what the original notification language in the bill was all about was information, not promoting or speaking against